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(4)

SINGLE BENCH CF RSIA

In the Honble High Court of Chhattishgarh at Bilaspur (C.G.)

W.P. (S) No. 1044 2007

Petitioner ..... Shrimati Vandana Pandey aged 44 year
Wife of Shri Subodh Pandey,
Lecturer (Chemistry),
Government Higher Secondary School,
Jamul District Durg (C.G.)

P.R. No. 1331/07 Presented by Shri Ajay Shrivastava dated 14.07.07

VERSUS

Respondent ... 1. The State Government of Chhattishgarh,
Through the Secretary,
Education & Tribal Department
D.K.S. Bhavan, Raipur (C.G.)

2. The District Education Officer,
Durg (C.G)

COPY ... DURG

Writ petition under articles 226 of the Constitution of India for issuance of writ in the nature of MANDAMUS,

(25)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (S) No. 1044 of 2007

Petitioner : Shrimati Vandana Pandey

Versus

Respondents : State of Chhattisgarh & another

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Mr. Somkant Verma, Advocate for the petitioner.

Ms. Sunita Jain, Panel Lawyer for the State/respondents.

ORDER

(Passed on this 23rd Day of February, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner is working as Lecturer (Chemistry) in the Government Higher Secondary School, Jamul, District-Durg. The petitioner obtained B. Ed. Examination certificate on 29.06.1991, on his own expenses.

2. Learned counsel appearing for the petitioner submits that the question involved, herein asto whether the teacher, who obtained B. Ed. Examination Certificate on his own expenses is entitled to two advance increments.

3. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation,

Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed. /B.T.I. Examination Certificate on their own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

5. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioner has acquired B. Ed. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 & 1.3.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash